

ADMITTED TO PRACTICE IN:
NEW YORK; NEW JERSEY;
UNITED STATES SUPREME COURT;
U.S. COURTS OF APPEALS FOR THE
SECOND AND THIRD CIRCUITS;
U.S. DISTRICT COURTS FOR THE
EASTERN DISTRICT OF TEXAS,
DISTRICT OF NEW JERSEY,
NORTHERN DISTRICT OF FLORIDA,
NORTHERN DISTRICT OF ILLINOIS,
DISTRICT OF CONNECTICUT, AND
NORTHERN, SOUTHERN & EASTERN
DISTRICTS OF NEW YORK; U.S.
COURT OF INTERNATIONAL TRADE;
U.S. COURT OF FEDERAL CLAIMS.

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Via ECF

Re: *Dark Storm Industries LLC et al. v.*
Cuomo et al., 20-cv-360

Hon. Lawrence E. Kahn
United States District Judge
United States District Court for the Northern District of New York

Dear Judge Kahn:

I represent the plaintiffs in the above-captioned matter, and write in response to Your Honor's text order entered yesterday.

Because of the urgency and constitutional importance of this matter in which a corporation with delegated sovereign authority has made a determination that has the effect of depriving citizens throughout the state of any opportunity to purchase firearms or ammunition for home defense during this crisis, Plaintiffs wish to proceed with their motion for partial summary judgment as quickly as possible. Accordingly, Plaintiffs would prefer to pursue the motion as filed under the Court's usual procedure rather than to withdraw or recast it.

If the moving papers are considered as filed today rather than *nunc pro tunc*, the return date would be 31 days later, on Monday, June 15. Plaintiffs respectfully request, however, that Your Honor shorten the timetable of motion submission, but without prejudice to Defendants' time to respond. With a return date of June 15, their response would be due 17 days earlier, on May 29, a Friday. Plaintiffs would submit their reply by the following Monday, June 1, if the motion could be deemed fully submitted at that time and ready for the Court's consideration.

Thank you for considering this request. It is submitted that a shortened timetable on this motion would be in the interests of justice.

Respectfully,
James M. Maloney

cc: all counsel via ECF